

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
BEAUFORT DIVISION

MARY S. COLE, Individually and as Co-)	CIVIL ACTION NO. 9:10-CV-2756-SB-WOB
Trustee of the Robert C. Swain Trust,)	
)	
Plaintiff,)	
)	
vs.)	
)	
FIRST REPUBLIC INVESTMENT)	
MANAGEMENT, INC.,)	
)	
Defendant.)	

ORDER APPROVING SETTLEMENT


Pursuant to S.C. Code Ann. § 15-51-42(D), this matter came before me upon the Verified Petition of Petitioners Nancy C. Apy and Lawrence S. Cole seeking approval of a settlement in the case of *Mary S. Cole, Individually and as Co-Trustee of the Robert C. Swain Trust vs. First Republic Investment Management, Inc.*, Case No. 9:10-CV-2756-SB-WOB, filed in the United States District Court for the State of South Carolina, Beaufort Division.

The Court finds the following:

1. This Court has authority to approve the settlement pursuant to S.C. Code Ann. § 15-51-42(D).
2. This Court has reviewed the proposed Settlement Agreement and Release (attached to the Petition as Exhibit 2) and is in possession of those facts it considers necessary and proper to evaluate the settlement.
3. Petitioners are the duly appointed Co-Personal Representatives of the Estate of Mary S. Cole by Order of Appointment dated February 14, 2012. Petitioners are also the sole beneficiaries of the Estate of Mary S. Cole.

4. The settlement in the above mentioned lawsuit is fair, reasonable, and proper and in the best interests of the Estate of Mary S. Cole, and I hereby approve the same and authorize Petitioners to execute the appropriate documents releasing Defendant First Republic Investment Management, Inc., and dismissing the Lawsuit

AND IT IS SO ORDERED.


The Honorable William O. Bertelsman
United States District Judge

Charleston, South Carolina

This 31 day of April, 2012.